

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for August 2, 2006 PLANNING COMMISSION MEETING

PROJECT #: Waiver of Subdivision Requirements #06007

PROPOSAL: To waive the requirements for sidewalks as per Section 26.27.020 of the Subdivision Ordinance.

LOCATION: South Pointe Pavilions, S. 30th Street and Zermatt Drive

CONCLUSION: This request to waive the sidewalk on the west side of S. 30th Street is appropriate as it would not serve as a direct access to a store entrance. It appears that when a waiver to require sidewalks on only one side of the streets entering the shopping center was made earlier, the applicant forgot to request the waiver on S. 30th St. At that time, the City Council approved the waiver for the other streets.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Block 1 South Pointe Pavilions 5th Addition

EXISTING ZONING: B-5 Planned Regional Business District

EXISTING LAND USE: Retail/Shopping Center

SURROUNDING LAND USE AND ZONING:

| | | |
|--------|---------|-------------------|
| North: | R-3 | Residential |
| South: | H-4/O-3 | Office/Commercial |
| East: | O-3 | Office |
| West: | B-2 | Commercial |

HISTORY:

August 25, 2000 South Pointe Pavilions 5th Addition Final Plat #00006 approved.

August 31, 1998 The City Council waived sidewalks on the south side of Ridgeline Road, on the south side of Southridge Road, on the west side of S. 29th Street, on the south side of Zermatt Drive between 28th and 29th Streets, and on both sides of S. 28th Street (private roadway).

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Land Use Plan identifies this area as Commercial. (F 25)

Pedestrian level of service factors include: (F-89 to F-90)

- **Continuity** - The sidewalk system should be complete and without gaps. The pedestrian network in shopping centers should be integrated with adjacent activities.
- **Security** - Pedestrians should be visible to motorists and other pedestrians. Pedestrians should be separated from motorists and bicyclists. Adequate lighting should be provided.
- **Visual Interest** - Pedestrians enjoy a visually appealing environment. Street lighting, fountains, and benches should match the local architecture. Pedestrian amenities should include landscaped parkways with street trees between the street and sidewalk.
- **Directness** - Pedestrians should be able to walk in a direct path to destinations like transit stops, schools, parks, and commercial and mixed-use activity centers. Directness is the ratio of actual distance along a sidewalk or pathway divided by the minimum distance the trip would take on a grid system.
- **Street Crossing** - Street crossings should feel safe and comfortable. Factors to consider are number of lanes to cross, traffic volumes, turning movements, speed of traffic, signal indication, curb radius, crosswalks, lighting, raised medians, visibility, curb ramps, pedestrian buttons and convenience.

ANALYSIS:

1. This is a request to waive the requirements of 26.27.020 Sidewalks.
2. The requested waiver applies only to the area along the west side of S. 30th Street in Lot 2, Block 1 South Pointe Pavilions 5th Addition.
3. A sidewalk is provided along the east side of S. 30th Street from Pine Lake Road northward through the site and connecting with the City Bike Trail on the north side of the site.
4. This waiver is requested because the location of the required sidewalk is currently the site of a gas meter, the center's fire protection system water post indicator valve and the fire sprinkler drain. Additionally, an emergency exit door would open outward directly onto the sidewalk posing a hazard to walkers.
5. The required sidewalk would line S. 30th Street from its intersection with Pine Lake Road northward to Zermatt Drive and along the back side of the Bed, Bath and Beyond store. The required sidewalk would not provide direct pedestrian access to a store entrance as there is no such entrance on this side of the building.
6. The existing sidewalk along the east side of S. 30th Street provides pedestrian access to the Scheels' store entrance via a crosswalk across 30th Street. This sidewalk

connects directly to one along Pine Lake Road and to the City bike trail to the north. This sidewalk provides adequate and necessary pedestrian access.

7. Approved plans show that all roads within the shopping center have a sidewalk on only one side of the street, including S. 30th Street. At the time the plans were approved sidewalk waivers were requested for every street except S. 30th. It is believed this was an oversight and that the applicant had intended to request a waiver to sidewalks on the west side of S. 30th Street as well. Nevertheless, the plans were approved and S. 30th Street was constructed without a sidewalk on the west side.

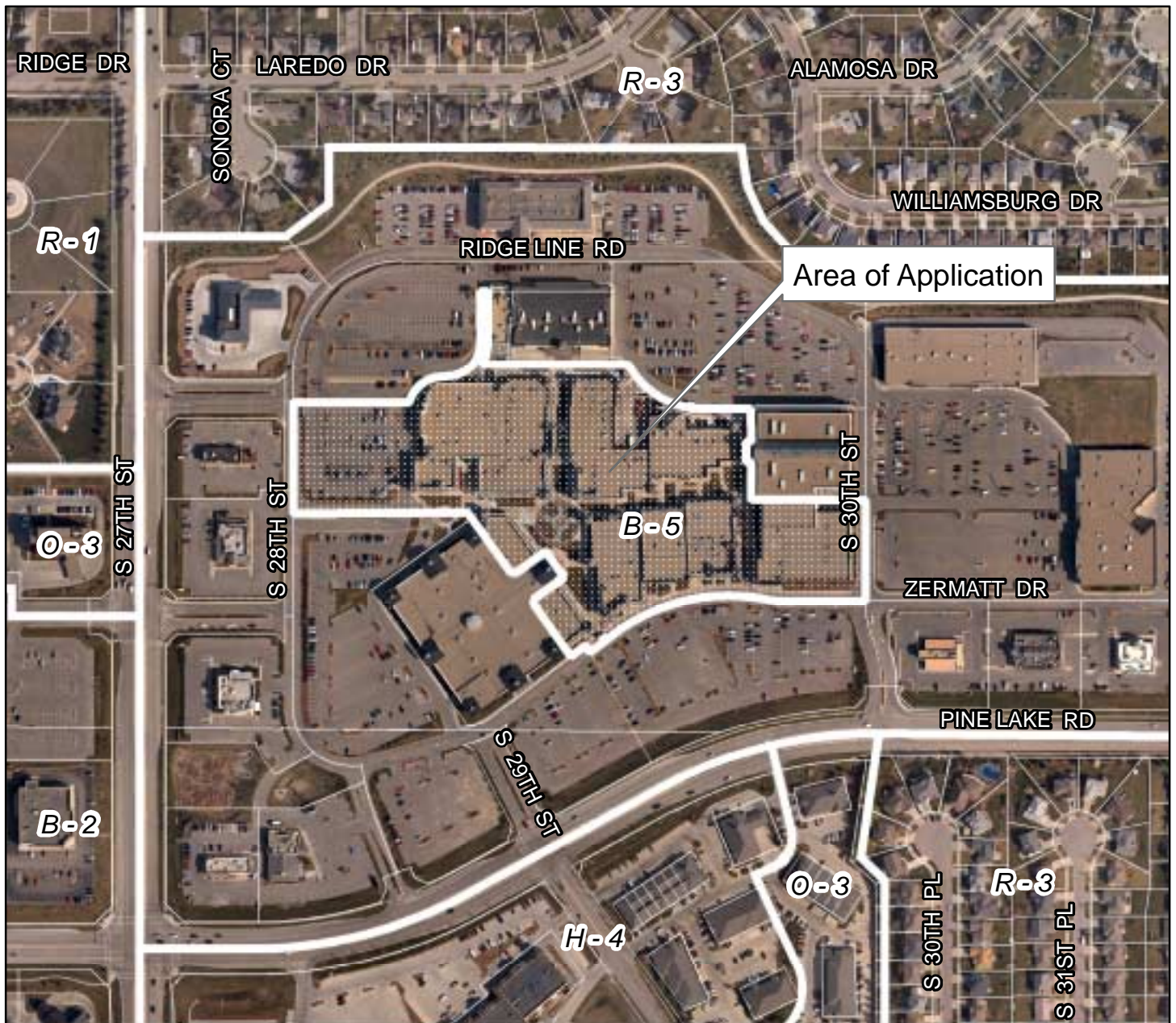
Prepared by:

Tom Cajka tcajka@lincoln.ne.gov
Planner

DATE: July 10, 2006

**APPLICANT/
CONTACT:** Jeff Gierhan
General Manager
South Pointe Pavilions
(402) 421-2114

OWNER: RED Capital Management, LLC
4717 Central
Kansas City, MO 64112
(816) 777-3500



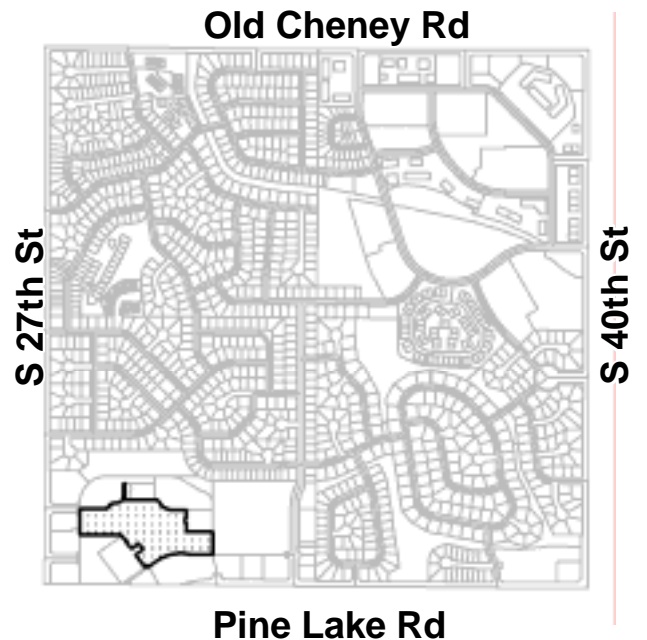
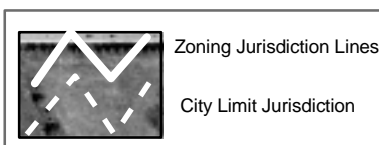
Waiver #06007 **S 27th St & Pine Lake Rd**

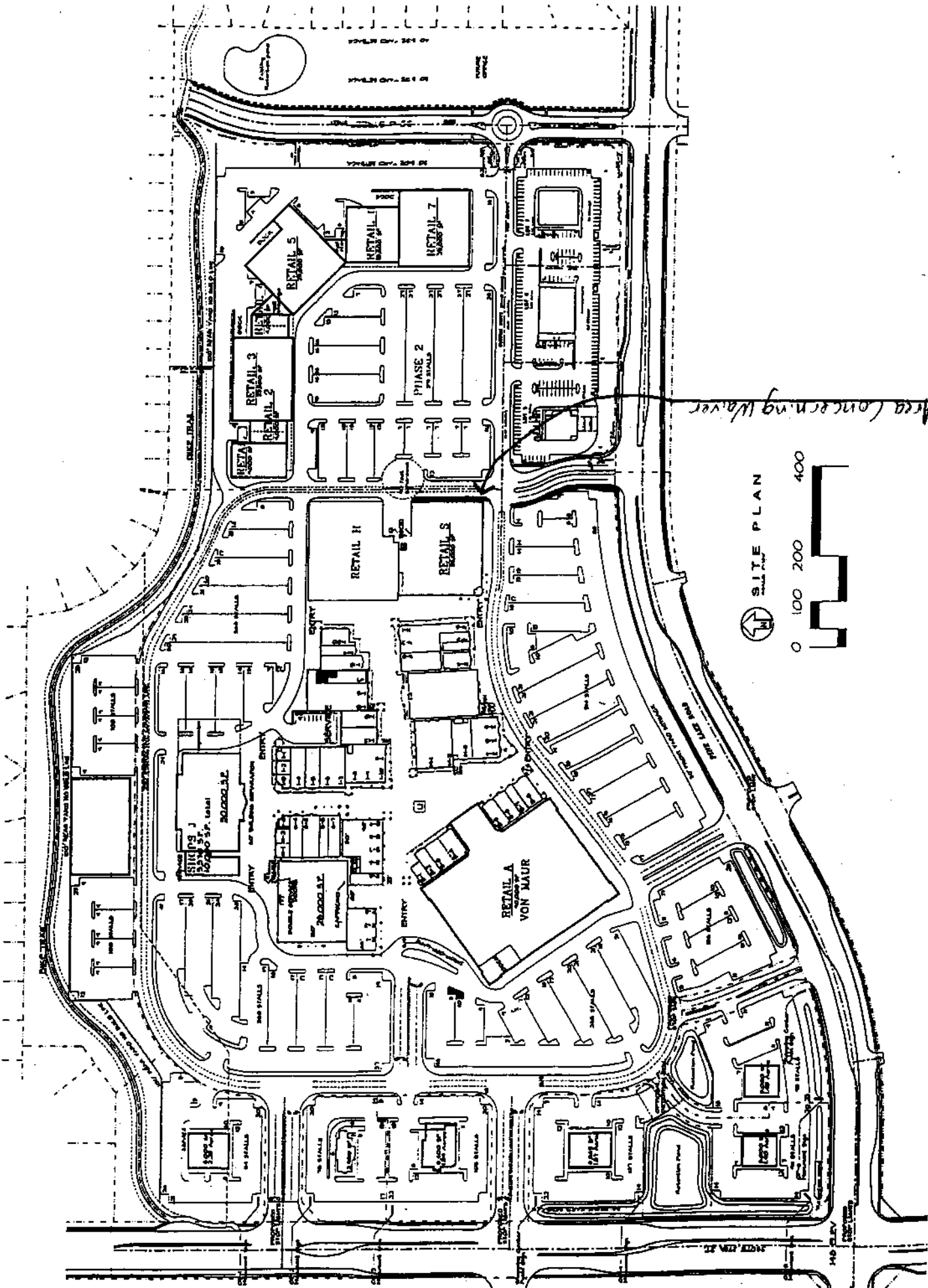
2005 aerial

Zoning:

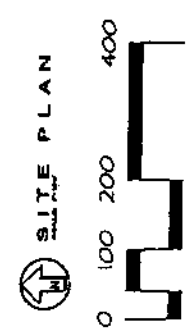
| | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
 Sec. 18 T09N R07E





Area Concerning Waver



SITE PLAN

protection system) which would be a walkway hazard. Also, due to the location of the fire sprinkler drain all the water would drain onto the walkway during system maintenance which would be a hazard and there is an emergency exit door on this side of the building that would swing outward into a walkway creating another potential hazard. There is also a large gas meter on this side of the building.



SouthPointe Pavilions Request for Sidewalk Waiver

This waiver request is for the west area next to the building of Bed Bath & Beyond which is pictured later below.

Overview

The existing pedestrian walkway runs from the South property line at Pine Lake Road through the entire property to the North property line where it links to the City Trail. Although the existing walkway links Pine Lake Road to the City Trail, this area sees very little foot traffic and the current pedestrian walkway provides more than adequate service for this area. The majority of the foot traffic enters the property at 27th Street and Ridgeline Road (by First National Bank). The following pictures show the existing walkway located on the East side of South 30th Street and the area regarding the waiver.

This is South 30th Street showing the ingress/egress roads connecting to Pine Lake Road.





"Jeff Gierhan"
<JGierhan@southpointeshopping.com>

07/10/2006 04:43 PM

To "Joseph Rexwinkle" <jrexwinkle@lincoln.ne.gov>
cc "Kim Hedrick" <KHedrick@southpointeshopping.com>
bcc
Subject SouthPointe Sidewalk Waiver Information

Joe,

Per our phone call today, I am also requesting the sidewalk waiver to include the area between Zermatt Drive and Pine Lake Road on the West side of South 30th Street although it was not indicated on the information that was submitted. As seen in the very first picture, this entire area is very steep and it would not be practical or cost effective to try and put a sidewalk in this area.

Thanks for all your help!

Jeff

Jeff Gierhan, General Manager

SouthPointe Pavilions Shopping Center

RED Asset Management, Inc.

2910 Pine Lake Road, Suite Q

Lincoln, NE 68516

402.421.2114 direct

402.421.2191 fax

jgierhan@southpointeshopping.com

www.southpointeshopping.com

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**Review Comments for
Application # 06007
City of South Pointe**

Comments as of: Monday, July 10, 2006

Status of Review: **No Rev Req**

Reviewed By **Building & Safety**

Terry Kathe

Comments:

Status of Review: **Routed**

Reviewed By **Planning Department**

COUNTER

Comments:

Status of Review: **Active**

Reviewed By **Planning Department**

RAY HILL

Comments:

Status of Review: **Active**

Reviewed By **Planning Department**

JOE REXWINKLE

Comments:

Status of Review: **Complete**

06/27/2006 3:59:19 PM

Reviewed By **Public Works - Development Services**

SIETDQ

Comments: **Memorandum**
[]

To: Joe Rexwinkle, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Waiver #06007 South Pointe Pavilions
Date: June 27, 2006
cc: Randy Hoskins
[]

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for Waiver #06007 South Pointe Pavilions to eliminate the requirement to construct the sidewalk along the west side of the 30th Street extension adjacent to the Bed Bath and Beyond Building. Public Works has the following comments:

• Public Works has no objection to the request to not construct the sidewalk for the above mentioned location because of the physical conditions of the site. However I believe this is not a design standard waiver but the elimination of a subdivision requirement of the approved site plan.
